



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,657	01/22/2002	Edwin Bogner	ITW 13127	9442

25994 7590 02/20/2003

BOARDMAN, SUHR, CURRY & FIELD, LLP
ATTN: IP PRACTICE GROUP
1 SOUTH PINCKNEY STREET, FOURTH FLOOR
P.O. BOX 927
MADISON, WI 53701-0927

EXAMINER

MCHENRY, KEVIN L

ART UNIT PAPER NUMBER

1725

DATE MAILED: 02/20/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/054,657	BOGNER ET AL.
	Examiner Kevin L McHenry	Art Unit 1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-9 and 11-32 is/are rejected.
- 7) Claim(s) 10 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 July 2002 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) Interview Summary (PTO-413) Paper No(s) _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 21-24 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Colella (U.S.P. 6,051,809).

Colella teaches a welding power supply that includes a storage compartment within the housing of the power supply. The storage compartment has a shelf that prevents contents from falling into the welding power supply and the shelf is configured to accept a torch that is usable with the power supply (see U.S.P. 6,051,809; particularly Figures 1 and 3; column 2, lines 22-29; column 3, lines 15-24; column 4, lines 6-31).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 11-15, 20, 25, 26, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colella (U.S.P. 6,051,809) in view of Brofft et al. (U.S. 2002/0163196).

Colella teaches a welding power supply that includes a storage compartment

within the housing of the power supply. The compartment is located at the top of the welding power supply beneath a top panel of the power supply. A control panel is included in the power supply and the storage compartment is disposed above at least a portion of the control panel. The storage compartment has a shelf that prevents contents from falling into the welding power supply and the shelf is configured to accept a torch that is usable with the power supply. Colella teaches that an accessory, such as a welding torch, can be retrieved from the compartment for use with the power supply and that once work is done the accessory is stored in the storage area (see U.S.P. 6,051,809; particularly Figures 1 and 3; column 2, lines 22-29; column 3, lines 15-24; column 4, lines 6-31). The examiner notes that claims 3 and 14 do not specify that the control panel is on the same side of the power supply housing.

Colella does not teach that the storage compartment has a drawer.

Brofft et al. teach a welding power supply in which a drawer is used for storage (see U.S. 2002/0163196; particularly paragraphs 19 and 29).

It would have been obvious to one of ordinary skill in the art at the time that the applicant's invention was made to have modified the power supply of Colella by the teachings of Brofft et al. to use a drawer as a storage device. One of ordinary skill in the art would have been motivated to do so in light of advantages of drawers and cabinets as storage devices.

5. Claims 7-9, 16-19, and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colella (U.S.P. 6,051,809) in view of Brofft et al. (U.S.

2002/0163196) as applied to claims 1-6, 11-15, 20, 25, 26, 31, and 32 above, and further in view of Alfaro (U.S.P. 5,927,839).

The former references teach the power supply taught above in section 4. However, these references do not teach that the power supply includes a tray that is connected to the drawer by slides.

Alfaro teaches a storage device with drawers that can be used to store and organize tools. The drawers are disposed within the housing of the storage device and trays are disposed within the drawers. The trays are connected to the drawers by rails that the trays slide upon and the drawers are connected to the housing by slides. The trays also have front and rear walls which would prevent contents from falling out of the tray. Alfaro teaches that this drawer configuration provides maximum usage and versatility of its storage space.

It would have been obvious to one of ordinary skill in the art at the time that the applicant's invention was made to have modified the power supply taught above by the teachings of Alfaro. One would have been motivated to do so in order to provide maximum usage and versatility of its storage space.

Allowable Subject Matter

6. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach or suggest a welding-type power supply

with a drawer disposed inside of the welding-type power supply wherein the a lift eye supports the drawer in the power supply.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kishbaugh (U.S.P 6,075,226), Bouyoucos et al. (U.S.P. 4,086,122), Steinert (U.S.P. 2,253,403), Spilger et al. (U.S.P. 6,124,572), Andre (D202,442), Walker (U.S.P. 4,625,949), and Peotter et al. (U.S.P. 5,599,470) are cited of interest for illustrating the state of the art in welding power supply design, drawer design, and storage design.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin L McHenry whose telephone number is (703) 305-9626. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G Dunn can be reached on (703) 308-3318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Application/Control Number: 10/054,657
Art Unit: 1725

Page 6

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



February 6, 2003



M. ALEXANDER ELVE
PRIMARY EXAMINER